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MEMBER, NEW JERSEY BAR
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MEMO ENDORSED

WILLIAM A. THOMAS
OF COUNSEL

December 7, 2007

Chambers of the Hon. Kenneth M. Karas
United States District Court
Southern District Of New York
300 Quarropas Street, Chambers 533
White Plains, New York 10601-4150

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED:

RE: Horn, et. al v. O'Brien, et. al/SDNY 07 Civ. 7833 (KMK)
7822

Dear Judge Karas:

Per my conversation with your chambers, I write to request a telephone conference re the above matter. The purpose of the conference would be to determine an issue regarding service of the Yonkers Police Officer defendant Roy Pilot. The enclosed exchange of correspondence between the undersigned and Michael Levinson, Esq. of the Yonkers' Corporation Counsel's office is explanatory. I request a conference call to see if default motion practice can be avoided.

No contention is made by the State of New York or the City of Yonkers that the remaining four defendants – New York State Troopers O'Brien and Sammon, or Yonkers Police Officers Wissner and Craft have not been served.

Very truly yours,




Michael P. Barnes

Cc: Michael Levinson, Esq.
Susan Odessky, Esq.

The Court ~~will~~ will hold a telephone
conference on December 19, 2007, at 11:30

SO ORDERED


KENNETH M. KARAS U.S.D.J.

12/11/07

*Please call Chambers at
914-390-4145 when all parties
are on the line. Thank you.*